



Atty. Dkt. No. 029318-1003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Eugene R. Cooper et al.
Title: NANOPARTICULATE
MELOXICAM FORMULATIONS
Appl. No.: 10/784,900
Filing Date: 02/24/2004
Examiner: Unassigned
Art Unit: 1763

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

The relevance of the foreign-language document is described in the present specification and Document A1 is the U.S. counterpart of the foreign-language document (Document A85). An English translation of the foreign-language document is not readily available. However, the absence of such translation does not relieve the PTO from its duty to consider the submitted foreign language document (37 CFR §1.98 and MPEP §609). An English-language abstract is attached.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date July 14, 2004

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for Michele M. Simkin
Attorney for Applicants
Registration No. 34,717

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<div style="border: 2px solid black; border-radius: 50%; padding: 10px; display: inline-block; text-align: center;"> PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT JUL 16 2004 </div> <p style="text-align: center;">Substitute for form 1449B/PTO</p> <p style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p style="text-align: center;">(use as many sheets as necessary)</p> <p>Sheet <u>1</u> of <u>4</u></p>	<p style="text-align: right;">Complete if Known</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Application Number</td> <td>10/784,900</td> </tr> <tr> <td>Filing Date</td> <td>02/24/2004</td> </tr> <tr> <td>First Named Inventor</td> <td>Eugene R. Cooper</td> </tr> <tr> <td>Group Art Unit</td> <td>1763</td> </tr> <tr> <td>Examiner Name</td> <td>Unassigned</td> </tr> <tr> <td>Attorney Docket Number</td> <td>029318-1003</td> </tr> </table>	Application Number	10/784,900	Filing Date	02/24/2004	First Named Inventor	Eugene R. Cooper	Group Art Unit	1763	Examiner Name	Unassigned	Attorney Docket Number	029318-1003
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U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	4,233,299		TRUMMLITZ ET AL.	11/11/1980	
	A2	4,783,484		VIOLANTE ET AL.	11/08/1988	
	A3	4,826,689		VIOLANTO ET AL.	05/02/1989	
	A4	4,997,454		VIOLANTE ET AL.	03/05/1991	
	A5	5,145,684		LIVERSIDGE ET AL.	09/08/1992	
	A6	5,192,535		DAVIS ET AL.	03/09/1993	
	A7	5,298,262		NA ET AL.	03/29/1994	
	A8	5,302,401		LIVERSIDGE ET AL.	04/12/1994	
	A9	5,318,767		LIVERSIDGE ET AL.	06/07/1994	
	A10	5,326,552		NA ET AL.	07/05/1994	
	A11	5,328,404		BACON	07/12/1994	
	A12	5,336,507		NA ET AL.	08/09/1994	
	A13	5,340,564		ILLIG ET AL.	08/23/1994	
	A14	5,346,702		NA ET AL.	09/13/1994	
	A15	5,349,957		YUDELSON	09/27/1994	
	A16	5,352,459		HOLLISTER ET AL.	10/04/1994	
	A17	5,399,363		LIVERSIDGE ET AL.	03/21/1995	
	A18	5,401,492		KELLAR ET AL.	03/28/1995	
	A19	5,429,824		JUNE	07/04/1995	
	A20	5,447,710		NA ET AL.	09/05/1995	
	A21	5,451,393		LIVERSIDGE ET AL.	09/19/1995	
	A22	5,466,440		RUDDY ET AL.	11/14/1995	
	A23	5,470,583		NA ET AL.	11/28/1995	
	A24	5,472,683		ILLIG	12/05/1995	
	A25	5,494,683		LIVERSIDGE ET AL.	02/27/1996	
	A26	5,500,204		OSIFO	03/19/1996	
	A27	5,510,118		BOSCH ET AL.	04/23/1996	
	A28	5,518,187		BRUNO ET AL.	05/21/1996	
	A29	5,518,738		EICKHOFF ET AL.	05/21/1996	
	A30	5,521,218		OSIFO	05/28/1996	
	A31	5,525,328		BACON ET AL.	06/11/1996	
	A32	5,534,270		DE CASTRO	07/09/1996	
	A33	5,543,133		SWANSON ET AL.	08/06/1996	
	A34	5,552,160		LIVERSIDGE ET AL.	09/03/1996	
	A35	5,560,931		EICKHOFF ET AL.	10/01/1996	
	A36	5,560,932		BAGCHI ET AL.	10/01/1996	
	A37	5,565,188		WONG ET AL.	10/15/1996	
	A38	5,569,448		WONG ET AL.	10/29/1996	
	A39	5,571,536		EICKHOFF ET AL.	11/05/1996	
	A40	5,573,749		ILLIG	11/12/1996	
	A41	5,573,750		SINGH	11/12/1996	

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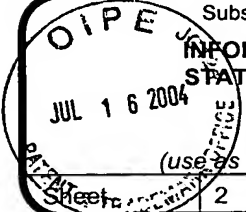
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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 <p>Substitute for form 1449B/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(use as many sheets as necessary)</p> <p>Sheet <u>2</u> of <u>4</u></p>	<p align="center">Complete if Known</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Application Number</td> <td>10/784,900</td> </tr> <tr> <td>Filing Date</td> <td>02/24/2004</td> </tr> <tr> <td>First Named Inventor</td> <td>Eugene R. Cooper</td> </tr> <tr> <td>Group Art Unit</td> <td>1763</td> </tr> <tr> <td>Examiner Name</td> <td>Unassigned</td> </tr> <tr> <td>Attorney Docket Number</td> <td>029318-1003</td> </tr> </table>	Application Number	10/784,900	Filing Date	02/24/2004	First Named Inventor	Eugene R. Cooper	Group Art Unit	1763	Examiner Name	Unassigned	Attorney Docket Number	029318-1003
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U.S. PATENT DOCUMENTS					
	U.S. Patent Document				
	A42	5,573,783		DESIENO ET AL.	11/12/1996
	A43	5,580,579		RUDDY ET AL.	12/03/1996
	A44	5,585,108		RUDDY ET AL.	12/17/1996
	A45	5,587,143		WONG	12/24/1996
	A46	5,591,456		FRANSON ET AL.	01/07/1997
	A47	5,593,097		CORBIN	01/14/1997
	A48	5,622,938		WONG	04/22/1997
	A49	5,628,981		LIVERSIDGE ET AL.	05/13/1997
	A50	5,643,552		ILLIG	07/01/1997
	A51	5,662,883		BAGCHI ET AL.	09/02/1997
	A52	5,665,331		BAGCHI ET AL.	09/09/1997
	A53	5,718,388		CZEKAI ET AL.	02/17/1998
	A54	5,718,919		RUDDY ET AL.	02/17/1998
	A55	5,741,522		VIOLANTE ET AL.	04/21/1998
	A56	5,747,001		WIEDMANN ET AL.	05/05/1998
	A57	5,776,496		VIOLANTE ET AL.	07/07/1998
	A58	5,834,025		DE GARAVILLA ET AL.	11/10/1998
	A59	5,862,999		CZEKAI ET AL.	01/26/1999
	A60	6,045,829		LIVERSIDGE ET AL.	04/04/2000
	A61	6,068,858		LIVERSIDGE ET AL.	05/30/2000
	A62	6,153,225		LEE ET AL.	11/28/2000
	A63	6,165,506		JAIN ET AL.	12/26/2000
	A64	6,221,400	B1	LIVERSIDGE ET AL.	04/24/2001
	A65	6,264,922	B1	WOOD ET AL.	07/24/2001
	A66	6,267,989	B1	LIVERSIDGE ET AL.	07/31/2001
	A67	6,270,806	B1	LIVERSIDGE ET AL.	08/07/2001
	A68	6,284,269	B1	STRUENGMANN ET AL.	09/04/2001
	A69	6,316,029	B1	JAIN ET AL.	11/13/2001
	A70	6,375,986	B1	RYDE ET AL.	04/23/2002
	A71	6,428,814	B1	BOSCH	08/06/2002
	A72	6,431,478	B1	REED ET AL.	08/13/2002
	A73	6,432,381	B1	LIVERSIDGE ET AL.	08/13/2002
	A74	6,582,285	B1	CZEKAI ET AL.	06/24/2003
	A75	6,592,903	B2	RYDE ET AL.	07/15/2003
	A76	6,656,504	B1	BOSCH ET AL.	12/02/2003
	A77	2002/0012675	A1	JAIN ET AL.	01/31/2002
	A78	2002/0019431	A1	STRAUB ET AL.	02/14/2002
	A79	2002/0028238	A1	KARIM ET AL.	03/07/2002
	A80	2002/0035107	A1	HENKE ET AL.	03/21/2002
	A81	2002/0035264	A1	KARARLI ET AL.	03/21/2002
	A82	2002/007732	A1	HASSAN ET AL.	06/20/2002

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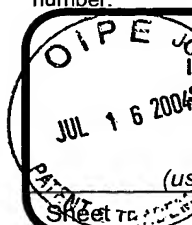
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Sheet 3	of 4		

U.S. PATENT DOCUMENTS					
		U.S. Patent Document			

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A83	WO	02/098565	A1	ELAN PHARMA INTERNATIONAL LIMITED	12/12/2002		
	A84	WO	00/72973	A1	NANOSYSTEMS/DIVISION OF ELAN PHARMACEUTICAL TECHNOLOGIES	12/07/2000		
	A85	DE	27 56 113		THOMAE GMBH DR K	06/21/1979		ABS.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶	
	A86	<i>The Physicians' Desk Reference</i> , 56 th Ed., pp. 1054 (2002)		
	A87	<i>The Merck Index</i> , 13 th Ed., pp. 1040-1041 (Merck & Co. 2001)		
	A88	Lees et al., <i>Brit. Vet. J.</i> , 147: 97 (1991)		
	A89	Henderson et al., <i>Prakt. Tierarzt.</i> , 75:179 (1994)		
	A90	Tsai et al., <i>Helv. Chim. Acta</i> , 76:842 (1993)		
	A91	<i>Brit. J. Rheumatol.</i> , 35(Suppl. 1):1-77 (1996)		

Examiner Signature		Date Considered	
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Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A92	Hawkey et al., <i>Brit. J. Rheumatol.</i> , 37:937 (1998)	
	A93	Dequeker et al., <i>Brit. J. Rheumatol.</i> , 37:946 (1998)	
	A94	Vane et al., <i>Proc. Natl. Acad. Sci. USA</i> , 91:2046-2050 (1994)	
	A95	Oulette et al., <i>Proc. Natl. Acad. Sci.</i> , 98:14583-14588 (2001)	
	A96	Seibert et al., <i>Proc. Natl. Acad. Sci.</i> , 91:12013-12017 (1994)	
	A97	Smith et al., <i>Proc. Natl. Acad. Sci.</i> , 95:13313-13318 (1998)	

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